



*The Helena Public Schools educate, engage, and empower each student to maximize his or her individual potential with the knowledge, skills and character essential to being a responsible citizen and life-long learner.*

## Board of Trustees Policy Committee Meeting

Tuesday, April 2<sup>nd</sup>, 2024

12:00 p.m.

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

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## MINUTES

### *Attendees*

#### *Committee:*

Jeff Hindoién, Trustee

Linda Cleatus, Trustee

#### *Others:*

Rex Weltz, Superintendent

Barb Ridgway, Chief of Staff

Elizabeth Kaleva, District Legal Counsel

Jane Shawn, HEA President

Josh McKay, Assistant Superintendent

Candice Delvaux, Executive Assistant

Keri Mizell, Human Resources Director

Karen Ogden, Communications Officer

Joslyn Davison, Curriculum Director

Janelle Mickelson, Business Manager

Lona Carter, Student Health

Melissa Romano-Lehman, Instructional Coach

**I. CALL TO ORDER**

The meeting was called to order at 12:02 p.m. by Trustee Jeff Hindoien.

**II. REVIEW OF AGENDA**

No changes were requested to the agenda.

**III. GENERAL PUBLIC COMMENT**

There was no general public comment.

**IV. REVIEW OF THE 03.05.2024 POLICY COMMITTEE MINUTES**

Trustee Jeff Hindoien and Trustee Linda Cleatus were not in attendance at the March 5<sup>th</sup> Policy Committee Meeting and requested that the 3.05.2024 Policy Committee meeting minutes be placed on the Policy Committee agenda for review at the May Policy Committee meeting, when a Trustee that was in attendance at the March meeting would be able to review the March policy minutes and accept them into the record.

**V. PRESENTATION OF POLICIES FOR FIRST READING**

**A. Policy 1070 (1420): School Board Meeting Procedures**

The Policy Committee reviewed and discussed Policy 1070 (1420) School Board Meeting Procedures. Ms. Ridgway, Chief of Staff, and Ms. Kaleva, District Legal Counsel discussed that this policy revision is required only for first- and second-class districts. This policy is previously numbered as 1070 but the number will be changed to 1420 so it aligns with the model policy. Under MCA § 2-3-214, the Board must make a video and audio recording for a public meeting over which the Board “has supervision, control, jurisdiction, or advisory power” at a public meeting that is publicly noticed as required by law. This recording must be provided through a link on the district website or social media page (if there is no district website) within 5 business days of the board meeting and must be maintained online for 1 year. It is not the official record of the meeting unless designated by the Board as the official record (which is not recommended). If there was a technological issue that prevented the recording of the meeting or ability to provide a link, there has to be a notice of this failure placed in the same place that public notices for meetings are located as well as where the meeting recording links are located with the reasons for the failure and efforts to avoid the failure in the future. Recordings will be retained for one year. The law states that meetings only need to be recorded when the board is acting on a matter over which they have supervision, etc...therefore, board committee meetings are not required to be recorded and posted on the website because the board is not acting on any matters. Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding the policy. The Policy Committee determined that Policy 1070 (1420) School Board Meeting Procedures would go before the full Board of Trustees for information.

B. Policy 1240: Duties of Individual Trustees

The Policy Committee reviewed and discussed Policy 1240: Duties of Individual Trustees. This policy revision is required only for first-class districts. This policy is being revised to reflect that trustees in a first class district only may share the responsibility for visiting each school within a district. Second- and third-class districts do not need to adopt this policy revision. The policy states that, *“The authority of individual trustees is limited to participating in actions taken by the Board as a whole when legally in session. Trustees shall not assume responsibilities of administrators or other staff members. The Board or staff shall not be bound by an action taken or statement made by an individual trustee, except when such statement or action is pursuant to specific instructions and official action taken by the Board. Each trustee shall review the agenda and attendant materials in advance of a meeting and shall be prepared to participate in discussion and decision making for each agenda item. Trustees share the responsibility to visit every school building at least once per year to examine its management, conditions, and needs.”* Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding the policy. The Policy Committee determined that Policy 1240: Duties of Individual Trustees would go before the full Board of Trustees for information.

C. Policy 2165: Early Literacy Targeted Intervention

The Policy Committee reviewed and discussed Policy 2165: Early Literacy Targeted Intervention. Under HB 352 (now MCA § 20-7-1801 – 20-7-1804), a district can but is not required to offer an early literacy intervention program. The Board has determined it will offer the following Early Literacy Targeted Intervention Program(s) for an eligible child:

- A full-time based program for eligible children who are four (4) years of age or older on or before September 10 of the year in which the children are to participate in the program and are not entering and have not completed kindergarten. A parent/guardian may enroll an eligible child in a full-time classroom-based program on a part-time basis. The classroom-based program must align with developmentally appropriate early education learning standards determined by the Board of Public Education. The district will start the program this fall.
- A jumpstart program for eligible children who are five years of age or older on or before September 10 of the year in which the children are to participate in the program and who have not yet completed 3rd grade. The jumpstart program shall occur during the time between the end of one school calendar year and the start of the next school calendar year as determined by the Board preceding a child’s entry into kindergarten, 1st grade, 2nd grade, or 3rd grade. The jumpstart program shall be at least 4 weeks in duration and provide at least 120 instructional hours and be aligned to the framework determined by the Board of Public Education. The jumpstart program shall be designed in a manner to increase the likelihood of a child being evaluated at the end of the ensuing school year to be at or above a trajectory leading to reading proficiency at the end of 3rd grade. Only “eligible” children can participate in these programs if offered – eligible children are those evaluated

to be “below trajectory for 3rd-grade reading proficiency for the child’s age or grade level.” The evaluation can only be done at the request of the parent/guardian. The evaluations are to be administered in April, May, or June to any child (at the request and consent of the parent/guardian) who will be 4 years old or older on or before the following September 10<sup>th</sup> and who has not yet entered 3rd grade. Our district is hoping to start the jumpstart program next year during the summer of 2025. Ms. Ridgway mentioned that districts may also offer a home-based program approved by the Board of Public Ed, but we are choosing not to do that at this time. Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding the policy. The Policy Committee determined that Policy 2165: Early Literacy Targeted Intervention would go before the full Board of Trustees for information.

D. Policy 3141: Nonresident Student Enrollment

The Policy Committee reviewed and discussed Policy 3141: Nonresident Student Enrollment. Board Policy 3141 (3025) has been revised to address the updates to the out-of-district laws. To summarize, within 10 days of receiving an application from a nonresident student, the district must notify the parent or guardian and the district of residence of the “anticipated date for approval or disapproval of the agreement” (in other words, the date of the Board Meeting at which the application will be decided). Because the ability to deny applications is very limited, it is important that districts request the records of students seeking to enroll and review them prior to making a recommendation for admission. Under the new law, the Board can deny approval because it has been determined that the impact of approval of an application would risk jeopardizing the educational quality within the district, because the out-of-district student has been truant as defined by MCA § 20-5-106 in the last school district, was expelled by a district at any time, or was non-IDEA eligible student suspended within the 3 school years prior to the year in which attendance was sought. The suspension exception does not apply to an IDEA-eligible student; it can apply to any regular education student or a student who has a 504 plan. With respect to truancy, MCA § 20-5-106 does not require a judicial finding of “truancy.” Rather, it is “persistent nonattendance without excuse, as defined by district policy, for all or any part of a school day equivalent to the length of one class period” for 9 or more days or 54 or more parts of a day in one school year. In order to make a recommendation for the approval or denial of a request, it will be necessary to review student records to determine truancy and/or whether there has been a suspension or expulsion (as well as whether the student is an IDEA-eligible student). In no event can a district reject a student on the basis of disability. In other words, unless the student is a 504-eligible student who has been suspended in the previous three school years, the district cannot deny a student for behavioral or disciplinary reasons. Extreme caution should also be exercised if the student is a student with a disability who may have a number of unexcused absences. Ms. Ridgway stated that on line 27 the date of June 15<sup>th</sup> will be changed to June 1<sup>st</sup> and on line 39 we are adding language that states *school placement will be determined by the district*. Language was added on lines 37 through 39 which states, *“Nonresident students who were accepted prior to the 2024-2025 school year will be grandfathered but must complete Form 3141F annually and must remain in good standing.”* Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding

the policy. The Policy Committee determined that Policy 3141: Nonresident Student Enrollment would go before the full Board of Trustees for action. This policy is being expedited because the district needs to start receiving and reviewing applications for the 2024-2025 school year.

E. Policy 3025: Discretionary Nonresident Student Attendance – Repeal

The Policy Committee reviewed and discussed Policy 3025 Discretionary Nonresident Student Attendance which is being repealed. This policy is being repealed because it is being replaced by Policy 3141: Nonresident Student Enrollment. Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding the policy. The Policy Committee determined that Policy 3025: Discretionary Nonresident Student Attendance will go before the full Board of Trustees for action to be repealed and replaced.

F. Policy 7008: Tuition

The Policy Committee reviewed and discussed Policy 7008: Tuition. The tuition policy has been revised to reflect the updates to the law and inability starting July 1, 2024, to charge tuition to parents/guardians. The policy states, *“Whenever an out-of-district student is enrolled in the District, an attendance agreement must be approved by the Board. The District shall notify the district of residence of each out-of-district student attendance agreement approved by the Board of their tuition obligations by July 15 following the year of attendance. Tuition rates shall be determined by Montana law. For any resident student of the District enrolled in another school district as an out-of-district student, the District shall finance such tuition from the tuition fund, general fund, or any other legally allowable fund in the discretion of the trustees.”* Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding the policy. The Policy Committee determined that Policy 7008: Tuition will go before the full Board of Trustees for action.

G. Policy 7015: Tuition Policy-Repeal

The Policy Committee reviewed and discussed Policy 7015: Tuition Policy which is being repealed. This policy is being repealed because it is being replaced by Policy 7008: Tuition. Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding the policy. The Policy Committee determined that Policy 7015: Tuition Policy will go before the full Board of Trustees for action to be repealed and replaced.

H. Policy 8110: Bus Routes and Schedules

The Policy Committee reviewed and discussed Policy 8110: Bus Routes and Schedules. This policy has been updated to reflect the language regarding safety distances for oncoming motorists and the need for the board to approve stops where students will cross a roadway. Updates were also made to the legal references. Ms. Ridgway and Ms. Kaleva answered any questions the Policy Committee had regarding this policy. The Policy Committee determined that Policy 8110: Bus Routes and Schedules would go before the full Board of Trustees for information.

**VI. SUPERINTENDENT OR BOARD COMMENTS**

There were no further comments.

**VII. ADJOURNMENT**

Trustee Jeff Hindoien adjourned the meeting at 1:02 p.m.